

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

*City of Rochester v. Purdue Pharma, L.P., No.
19-op-45853 (Track 12)*

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**PBM DEFENDANTS' MOTION SEEKING LEAVE TO FILE UNDER SEAL THEIR
OBJECTION AND EXHIBITS IN SUPPORT TO THE SPECIAL MASTER'S ORDER
REGARDING THE PRODUCTION OF PERSONNEL FILES**

The Express Scripts Defendants¹ and OptumRx, Inc. and its affiliates (collectively, the **PBM Defendants**), move pursuant to Local Rule 5.2, seeking leave to file under seal confidential documents as exhibits in support of their Objection to Special Master Cohen's Order regarding the production of personnel files.

On December 6, the Special Master ruled that the PBM Defendants must produce personnel files. The PBM Defendants object to the Special Master's ruling and, in support of the Objection to be filed with the Court, cite several documents to the Objection as exhibits, which have been designated as confidential pursuant to the Amended Case Management Order No. 2: Protective Order dated October 15, 2021. (*See* Dkt. 4028.)

The PBM Defendants request leave from the Court to file the following eight documents under seal:

- (1) PBM Defendants' Objection to the Special Master's Order Regarding the Production of Personnel Files;
- (2) Exhibit A – December 6, 2024 Hearing Transcript;

¹ The Express Scripts Defendants are Express Scripts, Inc., and ESI Mail Pharmacy Service, Inc.

- (3) Exhibit B – December 4, 2024 OptumRx emails;
- (4) Exhibit C – December 4, 2024 ESI emails;
- (5) Exhibit D – November 29, 2024 email;
- (6) Exhibit E – November 2018 Request for Production to Track 1 Defendants;
- (7) Exhibit F – Jan. 28, 2021 Lanier Law Firm Letter
- (8) Exhibit G – Feb. 2021 Order on Track 3 Production

Concurrent with this motion, the PBM Defendants also file public versions of those documents with tailored redactions applied as needed to protect the confidential information they contain.

CONCLUSION

The PBM Defendants respectfully request that the Court enter the attached proposed Order, granting the PBM Defendants leave to file under their Objection and exhibits in support.

Dated: December 10, 2024

/s/ Brian D. Boone

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